

**REMARKS**

In response to the above-identified Office Action, Applicants have amended Figure 3 as discussed above to correct a minor typographical error, have amended the specification to correct some minor informalities, and have amended claims 1, 3, 7, 10, 13, 19, and 20. In view of these amendments and the following remarks, Applicants hereby respectfully request reconsideration of the application, and allowance of claims 1-20.

The Office has rejected claims 19 and 20 under 35 U.S.C. 112, first paragraph asserting that there is no discussion of whether the system incorporates the sender based rule functions in relatively the same manner as the sender independent rule functions, or whether it is a completely unrelated system. Accordingly, Applicants have amended claim 19 to base the identification on a sender-independent message-based rule. In view of the foregoing amendments and remarks, Applicants respectfully request the Office to reconsider and withdraw the rejection of claims 19 and 20.

The Office has rejected claims 1-18 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,182,118 to Finney et al. (Finney). The Office asserts Finney discloses an information selection device that identifies an electronic message based on one or more sender-independent message-based rules (column 5, lines 15-16 and 43-44; figure 4, items 18 and 20); and an electronic message management device that at least one of selects and integrates the electronic message into a digest or samples the electronic message (column 3, lines 54-7; figure 3, items 24, 30, 32, 36).

Finney does not disclose or suggest, “an information selection device that selects one or more candidate messages from a plurality of electronic messages based on one or more sender-independent message-based rules . . . an electronic message management device that determines for each of the candidate messages which of one or more digests is appropriate and integrates each of the candidate messages into the digest determined to be appropriate or selects one or more of the candidate messages which meet one or more supplemental selection criteria” as recited in claim 1, or “selecting one or more candidate messages from a plurality of electronic messages based on one or more sender-independent message-based rules . . . determining for each of the candidate messages which of one or more digests is appropriate and integrating each of the candidate messages into the digest determined to be appropriate or selecting one or more of the candidate messages which meet

one or more supplemental selection criteria” as recited in claim 7, or “information that selects one or more candidate messages from a plurality of electronic messages based on one or more sender-independent message-based rules . . . information that determines for each of the candidate messages which of one or more digests is appropriate and integrates each of the candidate messages into the digest determined to be appropriate or selects one or more of the candidate messages which meet one or more supplemental selection criteria” as recited in claim 13.

The Office’s attention is respectfully directed to FIG. 4 and col. 4, lines 9-21 in Finney which illustrates and discloses that the recipient’s rules are retrieved and applied to the message and then the message is delivered according to the rules. Similarly, at col. 4, lines 40-44 Finney discloses that the rules are quickly applied at the initial point of entry for the messages and then the messages are delivered to one or more recipients. However, Finney does not disclose any further processing of the messages, let alone determining which digest is appropriate for each message and integrating that message into the appropriate digest or selecting messages which also satisfy supplemental selection criteria after messages have already been selected based on sender-independent rules.

As discussed on page 4, lines 1-12 of the above-identified patent application, electronic messaging has become an increasingly important mode of communication. Unfortunately, many people feel overwhelmed by the quantity of electronic messages they receive. The present invention provides a system and method for managing this large volume of electronic messages with a system and method for selecting and digesting or sampling as claimed. Accordingly, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claims 1, 7, and 13. Since claims 2-6 depend from and contain the limitations of claim 1, claims 8-12 depend from and contain the limitations of claim 7, and claims 14-18 depend from and contain the limitations of claim 13, they are distinguishable over the cited references and are patentable in the same manner as claims 1, 7, and 13.

Scannell does not disclose or suggest, “a data selection system that identifies one or more candidate messages from a plurality of electronic messages based on a sender-independent message-based rule” as recited in claim 19. As discussed earlier, Applicants have amended claim 19 to base the identification on a sender independent message based

rule, not a sender based rule. The Office has cited Scannell as disclosing a system that identifies based on a sender based rule, not a sender independent base rule as now claimed. Accordingly, in view of the foregoing amendments and remarks, the Office is respectfully requested to reconsider and withdraw the rejection of claim 19. Since claim 20 depends from and contains the limitations of claim 19, it is distinguishable over the cited reference and is patentable in the same manner as claim 19.

In view of all of the foregoing, Applicants submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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